

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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DARK STORM INDUSTRIES LLC, BRIAN
DOHERTY, and KEVIN SCHMUCKER,

1:20-cv-00360 (LEK) (ATB)

Plaintiffs,

- against -

STIPULATION

ANDREW CUOMO, in his official capacity as Governor
of the State of New York, EMPIRE STATE
DEVELOPMENT CORPORATION, and
ELIZABETH RUTH FINE, ESQ.,

Defendants.

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WHEREAS Defendant EMPIRE STATE DEVELOPMENT CORPORATION was
served with true copies of the Summons and Complaint herein through the Secretary of State on
April 3, 2020 (DE # 4); and

WHEREAS on April 16, 2020, Andrew W. Koster, Esq., an Assistant Attorney General
of the State of New York, agreed to accept service on behalf of ANDREW CUOMO, in his
official capacity as Governor of the State of New York, by electronic means, and on April 17,
2020, filed a notice of appearance on behalf of all Defendants (DE #6);

NOW, THEREFORE, it is hereby stipulated by and between the undersigned attorneys of
record that Defendants ANDREW CUOMO, in his official capacity as Governor of the State of
New York, and ELIZABETH RUTH FINE, ESQ., through counsel, waive personal service and
accept service of the Summons and Complaint by email effective April 16, 2020.

Dated: April 20, 2020
Port Washington, New York

/s James M. Maloney
JAMES M. MALONEY (Bar No. 514252)
Attorney for Plaintiffs
33 Bayview Avenue
Port Washington, New York 11050
Telephone: (516) 767-1395
Email: maritimelaw@nyu.edu

/s Andrew W. Koster
ANDREW W. KOSTER (Bar No. 701106)
Assistant Attorney General, of Counsel
The Capitol
Albany, New York 12224
Telephone: (518) 776-2609
Email: andrew.koster@ag.ny.gov